IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JDUGMENT NO.335 OF 2006

IN

SUMMARY SUIT NO.1691 OF 2006

M/s Impex Chemical Corporation ...Plaintiffs

v/s

M/s Bharat Explosives Ltd. ...Defendants

Mr A.H. Yadav for Plaintiffs.

None for Defendants.

CORAM : D.K. DESHMUKH J.

DATE : 7TH NOVEMBER 2006.

P.C. :-

1. The plaintiffs have filed this suit for recovery of the price of the gods which were supplied by the plaintiffs to the defendants. The defendants do not deny that received the goods. The goods were received by the defendants in March / April 2004. The only defence raised in the reply is that the goods supplied by the plaintiffs were defective. It is pertinent to note that after receiving the goods in March / April 2004, till the reply was filed in this suit, it was nowhere claimed by the defendants that the goods were defective. There were repeated demands made by the plaintiffs. Even the demand notice was served, but the defendants did not reply to it. It is thus clear that the defendants do not have any defence to offer. Summons for judgment is therefore granted. Suit is decreed in terms of prayer clauses (a) and (b). Refund of court fees as per rules.

. Parties to act on the copy of this order duly authenticated by the Associate / Private Secretary as true copy.

. Certified copy expedited.